

# Exhibit A

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA**

Hayward Hall of Justice

Rajesh Badani

Plaintiff/Petitioner(s)

VS.

Mercedes-Benz USA, LLC

Defendant/Respondent(s)

No. RG21107062

Date: 02/08/2023

Time: 1:30 PM

Dept: 512

Judge: Eumi Lee

ORDER re: Hearing on Motion for  
Attorney Fees

Matter was contested and hearing held via Zoom video conference. The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented the Court rules as follows:

The Motion for Attorney Fees filed by Rajesh Badani on 01/13/2023 is Granted.

The motion of plaintiff Badani for reasonable attorney's fees and costs is GRANTED. Plaintiff is awarded \$26,992.50 in reasonable fees and \$661.11 in costs, for a total award of \$27,653.61.

Plaintiff seeks reasonable fees and costs pursuant to Civil Code section 1794(d) of the Song-Beverly Consumer Warranty Act. Section 1794(d) states:

If the buyer prevails in an action under this section, the buyer shall be allowed by the court to recover as part of the judgment a sum equal to the aggregate amount of costs and expenses, including attorney's fees based on actual time expended, determined by the court to have been reasonably incurred by the buyer in connection with the commencement and prosecution of such action.

Plaintiff requests a total of \$41,149.86 in fees and costs. This amount includes \$26,992.50 in lodestar fees for 46.1 hours of work, plus a 0.5 multiplier of \$13,496.25, and \$661.11 in costs. (Agyeman Decl., Exh.A, C.)

California courts use the lodestar analysis to determine reasonable attorneys' fees under section 1794(d). (Robertson v. Fleetwood Travel Trailers, Inc. (2006) 144 Cal.App.4th 785, 818-19). The lodestar amounts to "the number of hours reasonably expended multiplied by the reasonable hourly rate." (PLCM Grp. v. Drexler (2000) 22 Cal.4th 1084, 1095.)

The party seeking fees bears the initial burden of establishing the hours expended litigating the case. (Levy v. Toyota Motor Sales, U.S.A., Inc. (1992) 4 Cal.App.4th 807, 816). The moving party must provide sufficient documentation of the tasks completed and the amount of time spent. (See Ketchum v. Moses (2001) 24 Cal.4th 1122, 1132.)

The moving party must show that the "[t]he reasonable hourly rate is that prevailing in the

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community for similar work.” (PLCM Grp v Drexler, supra, 22 Cal.4th at 1095.)

The Court finds that the lodestar amount of \$26,992.50 in fees for 46.1 hours of work, as reflected in Plaintiff’s counsel’s time records, is reasonable. (Agyeman Decl., Exh. A.)

Plaintiff submits evidence that attorney Isaac Agyeman billed 39.1 hours at \$525 per hour; that paralegal Angela Mason billed five hours at a rate of \$195 per hour; and that partner Scott Kaufman billed two hours at \$795 per hour. (Agyeman Decl., Exh. B.) The Court finds, based on the materials submitted by Plaintiff, that these rates are reasonable. (Agyeman Decl., Exh.O at p. 157; Goglin v BMW of North America, LLC (2016) 4 Cal.App.5th 462, 473-74.)

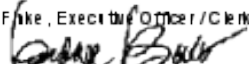
Although the correspondence between counsel submitted by Plaintiff reflects a discovery dispute and some delays during the settlement negotiations, this case did not involve any complex or unusual issues requiring special expertise. Accordingly, the Court declines to award the requested multiplier.

Plaintiff is awarded \$661.11 in costs.

Dated: 02/08/2023

A handwritten signature in black ink, appearing to read 'Eumi Lee', is positioned above the printed name of the judge.

Eumi Lee / Judge

<p align="center"><b>SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA</b></p>	<p align="center">Reserved for Clerk's File Stamp</p>
<p>COURTHOUSE ADDRESS: Hayward Hall of Justice 24405 Amador Street, Hayward, CA 94544</p>	<p align="center"><b>FILED</b> Superior Court of California County of Alameda 02/08/2023</p>
<p>PLAINTIFF/PETITIONER: Rajesh Badani</p>	<p>Chad Finke, Executive Officer / Clerk of the Court By:  Deputy</p>
<p>DEFENDANT/RESPONDENT: Mercedes-Benz USA, LLC</p>	<p align="center">K. Bello</p>
<p align="center"><b>CERTIFICATE OF MAILING</b></p>	<p>CASE NUMBER: RG21107062</p>

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Hayward, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

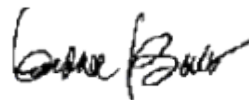
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Dated: 02/08/2023

Chad Finke, Executive Officer / Clerk of the Court

By:



K. Bello, Deputy Clerk

**CERTIFICATE OF MAILING**